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**TO:** Residential Care Apartment Complexes

RCAC - 05

**FROM:** Kevin Coughlin, Chief  
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**via:** Susan Schroeder, Director  
Bureau of Quality Assurance

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| <p style="text-align: center;"><b>Requirements for Administering Medications<br/>in Resident Care Apartment Complexes (RCACs)</b></p> |
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As a result of findings during recent certification visits of RCACs, the Bureau is issuing this bulletin to clarify the requirements for administering medications to residents in a Residential Care Apartment Complex setting. The following provisions apply to medication administration:

**“Medication administration”** means giving or assisting tenants in taking prescription and nonprescription medications in the correct dosage, at the proper time and in the specified manner. Wis. Admin. Code § HFS 89.13(21).

**“Medication management”** means oversight by a nurse, pharmacist or other health care professional to minimize risks associated with use of medications. Medication management includes proper storage of medications; preparation of a medication organization or reminder systems; assessment of the effectiveness of medications; monitoring for side effects, negative reactions, and drug interactions; and delegation and supervision of medication administration. Wis. Admin. Code § HFS 89.13(22).

**“Nursing services”** means nursing procedures, excluding personal services, which, according to the provisions of ch. 441, Stats., the nurse practice act, must be performed by a registered nurse or as a delegated act under the supervision of a registered nurse. Wis. Admin. Code § HFS 89.13(24), *see also* Wis. Admin. Code chs. N 6 and N 7.

An RCAC must be able to provide the minimum required nursing services, which includes health monitoring, medication administration, and medication management, to any tenant who needs or develops a need for nursing services, either directly or under contract. *See* Wis. Admin. Code § HFS 89.23.

Nursing services and supervision of delegated nursing services shall be provided consistent with the standards contained in the Wisconsin nurse practice act. Medication administration and medication management shall be performed by or, as a delegated task, under the supervision of a nurse or pharmacist. Wis. Admin. Code § HFS 89.23(4)(a)2.

Based on the above code provisions, if an RCAC is **administering or assisting** residents with administering medications, the facility must have a registered nurse (RN) employed or under contract, who either administers medications or assists residents with administering medications, or delegates and supervises medication administration. An RN must comply with the Wisconsin nurse practice act when delegating and supervising medication administration. Although licensed practical nurses (LPNs) may manage and direct staff in some aspects of nursing care, **only RNs, pharmacists or physicians can delegate medication administration to unlicensed RCAC caregiver staff.** The Standards of Practice for Registered Nurses is contained in Wis. Admin. Code § N 6.03(3). In the supervision and direction of delegated nursing acts, an RN shall:

- (a) Delegate tasks commensurate with educational preparation and demonstrated abilities of the person supervised;
- (b) Provide direction and assistance to those supervised;

- (c) Observe and monitor the activities of those supervised; and
- (d) Evaluate the effectiveness of acts performed under supervision.

The RN must also be able “to coordinate, direct and inspect the practice of another” on a regular basis under general supervision whenever any activity is delegated to another person. Wis. Admin. Code § N 6.02(7). Because delegation must be to “a person,” there should be clear and specific documentation in the facility’s policies and procedures to show who is working under the RN’s license. BQA assisted living survey staff will monitor compliance by observing a facility’s medication management and administration activities, interviewing the RN and the staff working under the RN’s license, and reviewing relevant documentation. Examples of relevant documentation includes the following:

- ✓ Policy regarding the delegation of medication administration to include specific RCAC staff who have accepted delegated nursing acts from a specific RN; how direction and assistance are provided to those supervised; and how monitoring and evaluation of delegated acts are achieved.
- ✓ Documentation addressing education and demonstrated skills of the individual(s) who have accepted delegated nursing acts from a specific RN.
- ✓ Documentation of periodic review of the delegated acts by the supervising RN.

Furthermore, if an RN is not in the building or on-site during periods of delegation, there needs to be a system in place to assure the RN is available to provide direction and assistance to those supervised.

In addition, if an RN is delegating medication administration to unlicensed RCAC caregivers, this information must be addressed in the service agreement with the resident according to Wis. Admin. Code § HFS 89.27(3)(c). BQA also encourages the RN to inform the physicians who provide medical care for residents that unlicensed caregivers are administering medications for their patients.

Please share this information with your Registered Nurse and all staff who are functioning under delegation. If you have any questions, please contact the appropriate regional survey office at:

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